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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/192,547	11/15/1998	TIMOTHY M. ANDERSON	10981774-1	9906

7590

12/18/2003

HEWLETT PACKARD COMPANY
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EXAMINER

PHAM, BRENDA H

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 12/18/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/192,547

Applicant(s)

ANDERSON ET AL.

Examiner

Brenda Pham

Art Unit

2664

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 28 November 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 10-20.Claim(s) objected to: 2-9.Claim(s) rejected: 1.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

ADVISORY ACTION

1. Applicant's arguments filed 11/28/2003 have been fully considered but they are not persuasive. Page 4, lines 5-8 of the response filed 12/28/2003, the Applicants argues that "Applicants clearly claim "testing the multi-device enclosure," while Joline repeatedly and explicitly states that Joline's object is to test line and/or trunk circuits interconnecting a remote telephone office with other telephone offices. Joline does not test a multi-device enclosure. Joline tests fibre-optic-implemented circuits." The Examiner is respectfully disagrees with the Applicant's arguments. As already explained in the previous action, Examiner asserts that claim 1 is anticipated by Joline et al because Joline discloses a method for testing a switching device (306 of figure 3) which equivalent to "the multi-device enclosure" of the present application. Joline teaches that the test control 304 controlling a number of bypass circuit to bypass the external communication medium (such as connectors, ports, links and trunks) that are connected the switching device 306 ("multi-device enclosure") to isolate the switching device 306 from external communications medium (301 of figure 3) and when the switching device 306 (multi-device enclosure) passes the testing, the test control software sends out instructions to knock down the testing connection and allows the switching device to operate as normal.

Claim 1, lines 1-2, recited "A method for testing a multi-device enclosure that contains multiple devices". This "multi-device enclosure" is indeed a conditional switching device that contains multiple devices. The Examiner believes the testing of the switching device 306 is the testing of "the multi-device enclosure" as recited in claim

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1 of the present invention application. The Examiner asserts that claim 1 of the present application is clearly anticipated by Joline and therefore, the rejection of claim 1 stands.

2. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Fax to:

(703) 872-9314, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")


Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington VA Sixth Floor (Receptionist)

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (703) 308-0148. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (703) 305-4366.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

December 12, 2003
Brenda Pham



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TECHNOLOGY CENTER 2600